UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/C.3/49/28
9 December 1994

ORIGINAL: ENGLISH

Forty-ninth session
THIRD COMMITTEE
Agenda item 100 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 6 December 1994 from the Chargé d'affaires a.i of the Permanent Mission of Yugoslavia addressed to the Secretary-General

I have the honour to submit the following comments of the Government of the Federal Republic of Yugoslavia concerning the draft resolution entitled "The situation of human rights in Kosovo" (A/C.3/49/L.58), prepared by Albania in the Third Committee.

The main purpose of the draft resolution is deliberately to misrepresent the situation in the autonomous province of Kosovo and Metohija, which is an integral part of the Republic of Serbia and the Federal Republic of Yugoslavia. The Government of the Federal Republic of Yugoslavia cannot but express its utmost indignation at, and firm opposition to, such activities of Albania, which seriously infringe upon the sovereignty and territorial integrity of Yugoslavia, grossly interfere in its internal affairs and gravely violate the purposes and principles of the Charter of the United Nations.

Pursuant to the Constitution of the Republic of Serbia, the Albanian population in Kosovo and Metohija, as a national minority within the Federal Republic of Yugoslavia, is equal in its rights and duties to all other citizens of the Republic of Serbia and the Federal Republic of Yugoslavia. Under the Constitution, Kosovo and Metohija enjoys the status of autonomous province, with territorial and cultural autonomy. Those aspects of autonomy are granted to the province of Kosovo and Metohija as an entity and not to the Albanian national minority. Therefore, all members of the Albanian national minority are entitled, within this entity, to all minority rights provided for by international legal instruments and principles and by the Constitution of the Republic of Serbia, which unreservedly affirms those principles.

The allegation in the draft resolution that the human rights of the Albanian national minority in Kosovo and Metohija are being violated is absolutely untrue. What is at stake is that under the mounting pressure of separatists, instigated and abundantly supported by the neighbouring Republic of Albania, the Albanian national minority has resorted to self-imposed exclusion from public life by boycotting the legitimate State institutions and authorities of the country they live in. That is actually the only reason why they are not exercising the minority rights they are guaranteed. What lies behind the unfounded accusations that in Kosovo and Metohija there are serious human rights problems are illegitimate demands by the extreme elements of the Albanian national minority against the territorial integrity of the Federal Republic of Yugoslavia based on plans for secession, with the ultimate aim of the annexation of the province by Albania.

Instead of lamenting over the fate of the Albanian national minority in Kosovo and Metohija, Albania should abandon its policy of instigating separatism and secessionism among the members of the Albanian national minority in the province. Apparently, Albania only verbally declares itself in favour of the ideals of democracy, respect for human rights and freedoms, the rule of law and the maintenance of friendly relations with its neighbours. However, it is widely known that nothing of this kind practically exists in Albania. Instead, political opponents and free-thinking journalists are persecuted and national minority members living in Albania, including Serbs and Montenegrins, have been denied their legitimate rights and subjected to various forms of intimidation. Their fundamental freedoms such as the right to private property and the right to choose freely their place of residence are denied. Staged political trials are frequent. For this reason, the United Nations Subcommission on Prevention of Discrimination and Protection of Minorities, the Council of Europe and the European Parliament, adopted resolutions calling for strict respect of human and minority rights in Albania.

The authorities of the Federal Republic of Yugoslavia and the Republic of Serbia stand ready to engage in an open dialogue with the leaders of political parties of the Albanian national minority in Kosovo and Metohija to find solutions to any outstanding questions within the legal institutions. However, it is necessary that the Albanian national minority, as all other citizens of the Federal Republic of Yugoslavia, respect its constitution and laws.

The Federal Republic of Yugoslavia has been actively promoting friendly relations and cooperation with the countries of the world and has always acted in accordance with the principles and purposes of the Charter of the United Nations.

The Federal Republic of Yugoslavia strongly opposes the attempts by Albania to have the issue of Kosovo and Metohija internationalized, since it certainly constitutes open and flagrant interference in the internal affairs of Yugoslavia.

The Federal Republic of Yugoslavia is confident that the overwhelming majority of the Member States of the United Nations clearly understands what is truly behind this Albanian action, which obviously runs counter to the principles and purposes of the Charter of the United Nations.

I should be grateful if you would have the present letter circulated as an official document of the General Assembly under agenda item 100 (c).

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.